

NOV 01 2017

The Honorable Jim Banks
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Banks:

Thank you for your June 29, 2017, letter to the U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) regarding jurisdiction under the Clean Water Act (CWA). We appreciate your interest in this important issue.

On June 27, 2017, the EPA and the Army proposed "Definition of 'Waters of the United States' – Recodification of Pre-existing rules". The proposed rule would recodify the identical regulatory text that was in place prior to the 2015 Clean Water Rule and that is currently in place as a result of the U.S. Court of Appeals for the Sixth Circuit's stay of the 2015 rule. This action, when finalized, will not change current practice with respect to how the definition applies. This action is intended to provide certainty and consistency for the public as EPA and the Army proceed with a second rulemaking to define the geographic scope of the CWA consistent with the Act and with Supreme Court decisions in *SWANCC* and *Rapanos*. The formal comment period on the proposed rule began when it was published in the *Federal Register* on July 27, 2017 and ended on September 27, 2017.

This proposed rule follows the February 28, 2017, Presidential Executive Order (E.O.) 13778 on "Reviewing the Rule of Law, Federalism, and Economic Growth by Reviewing the 'Waters of the United States' Rule." E.O. 13778 states that it is in the national interest to ensure that nation's navigable waters are kept free from pollution, while at the same time promoting economic growth, minimizing regulatory uncertainty, and showing due regard for the roles of Congress and the states.

Again, thank you for your letter. If you have further questions, please contact me or your staff may contact Denis Borum in EPA's Office of Congressional and Intergovernmental Relations at borum.denis@epa.gov or at (202) 564-4836, or Cindy Barger in the Army's Office of the Assistant Secretary (Civil Works) at cindy.s.barger.civ@mail.mil or at (202) 761-0041.

Respectfully yours,

A handwritten signature in black ink, reading "Michael H. Shapiro".

Michael H. Shapiro
Acting Assistant Administrator
Office of Water
Environmental Protection Agency

A handwritten signature in black ink, reading "Douglas W. Lamont".

Douglas W. Lamont, P.E.
Senior Official Performing
the Duties of the Assistant Secretary
of the Army (Civil Works)

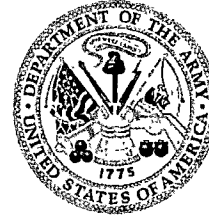
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NOV 01 2017



The Honorable Jackie Walorski
U.S. House of Representatives
Washington, D.C. 20515

Dear Congresswoman Walorski:

Thank you for your June 29, 2017, letter to the U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) regarding jurisdiction under the Clean Water Act (CWA). We appreciate your interest in this important issue.

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Michael H. Shapiro
Acting Assistant Administrator
Office of Water
Environmental Protection Agency

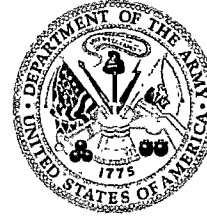
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the Duties of the Assistant Secretary
of the Army (Civil Works)

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NOV 01 2017



The Honorable Todd Rokita
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Rokita:

Thank you for your June 29, 2017, letter to the U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) regarding jurisdiction under the Clean Water Act (CWA). We appreciate your interest in this important issue.

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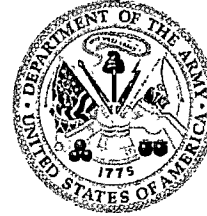
Michael H. Shapiro
Acting Assistant Administrator
Office of Water
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Douglas W. Lamont, P.E.
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of the Army (Civil Works)

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NOV 01 2017



The Honorable Luke Messer
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Messer:

Thank you for your June 29, 2017, letter to the U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) regarding jurisdiction under the Clean Water Act (CWA). We appreciate your interest in this important issue.

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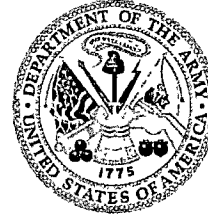
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Douglas W. Lamont, P.E.
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of the Army (Civil Works)



NOV 01 2017



The Honorable Trey Hollingsworth
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Hollingsworth:

Thank you for your June 29, 2017, letter to the U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) regarding jurisdiction under the Clean Water Act (CWA). We appreciate your interest in this important issue.

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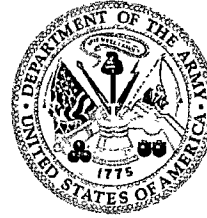
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NOV 01 2017



The Honorable Susan W. Brooks
U.S. House of Representatives
Washington, D.C. 20515

Dear Congresswoman Brooks:

Thank you for your June 29, 2017, letter to the U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) regarding jurisdiction under the Clean Water Act (CWA). We appreciate your interest in this important issue.

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NOV 01 2017



The Honorable Larry Bucshon
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressman Bucshon:

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